

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
No. 1:23-cv-878**

DEMOCRACY NORTH CAROLINA; *et al.*,

Plaintiffs,

v.

FRANCIS X. DELUCA, in his official  
capacity as CHAIR OF THE STATE  
BOARD OF ELECTIONS; *et al.*,

Defendants.

**DEFENDANTS' JOINT OBJECTIONS TO PLAINTIFFS'  
PRETRIAL DISCLOSURES**

State Board Defendants and Legislative-Intervenor Defendants (collectively, “Defendants”), pursuant to Fed. R. Civ. P. 26(a)(3)(B) and this Court’s pre-trial orders, D.E. 139 and D.E. 142, respectfully serve and file the following objections to Plaintiffs’ pretrial disclosures for the trial set to begin in the above-captioned matter on August 4, 2025. In light of the motions for summary judgment and to dismiss currently pending before the Court, Defendants reserve the right to modify, amend, or supplement these objections as the parties continue to meet and confer to narrow the evidentiary issues for trial.

**I. OBJECTIONS TO PLAINTIFFS’ WITNESS LIST**

Defendants object to the inclusion of “Additional voters impacted by SB 747’s changes to same-day registration in the 2024 elections” [D.E. 146-1] as improper witness disclosures under Fed. R. Civ. P. 26(a)(3)(A) because Plaintiffs fail to name or provide any

identifying information regarding who those “additional voters” might be. Defendants specifically reserve the right to move for the exclusion of such improper witnesses if/when Plaintiffs actually identify or seek to elicit testimony from undisclosed “additional voters.” Defendants reserve the right to modify, amend, or supplement these objections as appropriate.

## **II. OBJECTIONS TO PLAINTIFFS’ EXHIBIT LIST**

Attached as **Exhibit 1** are Defendants’ Objections to Plaintiffs’ Exhibit List. Defendants reserve the right to modify, amend, or supplement these objections as appropriate.

Pursuant to Local Rule 40(d), Defendants object to any witness testimony, trial exhibits, or parts of trial exhibits that include any Highly Confidential Information that is protected from public disclosure by federal or state law and has been designated as such by a party, as set forth in the consent protective order in this case. [D.E. 68]. Defendants do not believe that a motion to seal is necessary at this time, but intend to meet and confer with Plaintiffs to ensure that Highly Confidential Information is redacted or otherwise narrow the issues related to sealing that may be presented to the Court.

Respectfully submitted, this the 18th day of July, 2025.

**NELSON MULLINS RILEY &  
SCARBOROUGH LLP**

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day the forgoing document was filed on the Court's electronic case filing system (CM/ECF), and that notice of the filing will be served on all counsel of record by the Court's system.

This the 18th day of July, 2025.

**NELSON MULLINS RILEY &  
SCARBOROUGH LLP**

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